

"EXPRESS MAIL" MAILING LABEL NUMBER

EK983561972US

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING
DEPOSITED WITH THE U.S. POSTAL SERVICE "EXPRESS MAIL
POST OFFICE-TO-ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON
THE DATE INDICATED BELOW AND IS ADDRESSED TO THE
COMMISSIONER OF PATENTS AND TRADEMARKS,
WASHINGTON, D.C. 20231.

JUNE 1, 2001

DATE OF DEPOSIT


SIGNATURE OF PERSON MAILING PAPER OR FEEINELL MAHONE

NAME OF PERSON SIGNING

JUNE 1, 2001

DATE OF SIGNATURE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Peter M. Bonutti
Serial No. :
Title : APPARATUS AND METHOD FOR TISSUE REMOVAL
Attorney Docket : BON-1360-7

Cleveland, OH 44114-1400

June 1, 2001

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

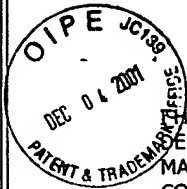
Sir:

This Information Disclosure Statement is being filed to fulfill the
duty of candor and good faith toward the Patent and Trademark
Office in accordance with 37 CFR §1.56.

Below is a list of information which persons substantively
involved in the preparation of the above-identified application are
aware and believe that a reasonable Examiner may consider
important to deciding whether to allow the application. Although a
search to locate the best information may have been made, this
document is not a representation that such a search has been made
and is not a representation that no other information exists.
However, this document is not to be construed as being an admission

JC971 U.S. PTO
09/872526

A3



376 0430
3731
PATENT

HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS
MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT
COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231 ON

SIGNATURE

DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Peter M. Bonutti
Serial No. : 09/872,526
Filing Date : June 1, 2001
For : APPARATUS AND METHOD FOR
TISSUE REMOVAL
Art Unit : (?)
Examiner : P. Prebilic (?)
Attorney Docket : BON-1360-7

TECHNOLOGY CENTER R3700

FEB 20 2002

RECEIVED

**(This Application is a continuation of U.S. Application
Serial No. 09/483,676)**

Assistant Commissioner for Patents
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

1. Pursuant to 37 CFR §1.97 and §1.98, and in compliance with CFR §1.56, the Office's attention is directed to the patents, pending applications, publications and other information listed on the attached PTO-1449. A copy of each listed document is enclosed. Applicant(s) make no admission that the enclosed documents are prior art to the present invention.
2. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a corresponding U.S. Patent is enclosed or a concise explanation of the relevance of the document is set forth on an attached sheet.

3. Pursuant to 37 CFR §1.97(b) this Statement is being filed (one must be checked):

- (a) ☐ Within three months of the filing date or date of entry into the National Stage.
- (b) ☒ Before the mailing date of a first Office Action on the merits.
- (c) ☐ After the period set forth in 37 CFR §1.97(b) but before the mailing date of either a final action or a notice of allowance or an action that otherwise closes prosecution in the application.
 - 1) ☐ A certification is given below,
 - 2) ☐ Enclosed is a check covering the fee (\$180.00) set forth in §1.17(p) for consideration of this Statement, or
 - 3) ☐ Charge the fee set forth in 37 CFR §1.17(p) to Deposit Account No. 20-0090.
- (d) ☐ After the mailing date of either a final action or a notice of allowance, but before payment of the issue fee. The required certification and fee is indicated below.
 - 1) ☐ Enclosed is a check covering the fee set forth in 37 CFR §1.17(p) \$180, or
 - 2) ☐ Charge the fee set forth in 37 CFR §1.17(p) to Deposit Account No. 20-0090.

4. Certification (if applicable):

- (a) ☐ The undersigned hereby certifies that each item of information contained in this Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.

- (b) ☐ The undersigned hereby certifies that no item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the undersigned's knowledge after making reasonable inquiry no item of information contained in the Statement, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Statement.

5. The Commissioner is hereby authorized to charge any additional fees, fees underpaid, or credit any overpayment with regard to this Statement to Deposit Account No. 20-0090.

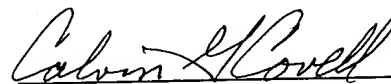
6. Concise Explanation (if needed):

- (1) ☐ Below is a Concise Statement of Relevance of enclosed non-English language document(s).

U.S. PATENT DOCUMENTS

U.S. Patent No. 5,577,517 to Bonutti
U.S. Patent No. 5,204,106 to Schepers et al.,
U.S. Patent No. 5,073,373 to O'Leary et al.
U.S. Patent No. 4,554,686 to Baker
U.S. Patent No. 5,390,683 to Pisharodi

Respectfully submitted,



Calvin G. Covell
Reg. No.24,042

TAROLLI, SUNDHEIM, COVELL,
TUMMINO & SZABO L.L.P.
526 Superior Avenue, Suite 1111
Cleveland, OH 44114-1400
Phone: (216) 621-2234
Fax: (216) 621-4070